

FILED

UNITED STATES DISTRICT COURT
ALBUQUERQUE, NEW MEXICO

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF NEW MEXICO

MAR 22 2005

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CODY SHANE MARTINEZ and
CHARLES LINDBERG SHANTA, JR.,

Defendants.

MATTHEW J. DYKMAN

CLERK

CR 05 606

CRIMINAL NO.

16 U.S.C. § 668: Bald and Golden
Eagle Act (Class A Misdemeanor);
16 U.S.C. §§ 703 & 707(a):
Migratory Bird Treaty Act (Class B
Misdemeanor).

REDACTED

INDICTMENT

The Grand Jury charges:

Count 1

Between on or about December 1, 2000, to on or about December 31, 2000, inclusive, in Otero County, State and District of New Mexico, the Defendant, **Cody Shane Martinez**, did knowingly and unlawfully sell without permission the feathers of birds protected by the Bald and Golden Eagle Protection Act, to wit, the feathers of the Golden Eagle (*Aquila chrysaetos*).

In violation of 16 U.S.C. § 668(a).

Count 2

Between on or about December 1, 2000, to on or about December 31, 2000, inclusive, in Otero County, State and District of New Mexico, the Defendant, **Charles Lindberg Shanta, Jr.**, did knowingly and unlawfully purchase without permission the feathers of birds protected by the Bald and Golden Eagle Protection Act, to wit, the feathers of the Golden Eagle (*Aquila chrysaetos*).

In violation of 16 U.S.C. § 668(a).

Count 3

Between on or about December 1, 2000, to on or about December 21, 2000, inclusive, in Otero County, in the State and District of New Mexico, the Defendant, **Cody Shane Martinez**, unlawfully and without permission did sell and offer to sell the feathers of birds protected by the Migratory Bird Treaty Act, to wit, the feathers of the Golden Eagle (*Aquila chrysaetos*).

In violation of 16 U.S.C. § 703, and 16 U.S.C. § 707(a).

Count 4

Between on or about December 1, 2000, to on or about December 21, 2000, inclusive, in Otero County, in the State and District of New Mexico, the Defendant, **Charles Lindberg Shanta, Jr.**, unlawfully and without permission did purchase and offer to purchase the feathers of birds protected by the Migratory Bird Treaty Act, to wit, the feathers of the Golden Eagle (*Aquila chrysaetos*).

In violation of 16 U.S.C. § 703, and 16 U.S.C. § 707(a).

A TRUE BILL:

/s/
FOREPERSON OF THE GRAND JURY

Mary L. Higgins for
DAVID C. IGLESIAS
United States Attorney

DAB 03/15/05 12:17pm